

AMENDED IN SENATE AUGUST 5, 2008

AMENDED IN SENATE JULY 10, 2008

AMENDED IN ASSEMBLY APRIL 14, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1981

Introduced by Assembly Member Huff

February 14, 2008

An act relating to surplus property.

LEGISLATIVE COUNSEL'S DIGEST

AB 1981, as amended, Huff. Surplus property: Chino Valley Unified School District.

Existing law authorizes a school district to enter into a joint-use agreement with another governmental entity that includes some or all of the territory of the district, for specified purposes.

Existing law vests the Department of General Services with certain duties with respect to the disposition of certain state property that has been transferred to local agencies under specified conditions.

This bill would authorize the Chino Valley Unified School District to transfer specified surplus property owned by the school district to the City of Chino Hills, in the County of San Bernardino, upon payment to the district by the city and the execution of an agreement between the school district and the city for development of the property into a park. This bill would require the district to remit a specified sum to the State Allocation Board. This bill further would require the property to revert to the ~~school district~~ *state* if the use of the property changes to a use that is not consistent with parks and recreation purposes, unless specified conditions are met, ~~as specified~~.

This bill would state findings and declarations of the Legislature regarding the need for special legislation.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Chino Valley Unified School District
2 may transfer surplus property owned by the school district, located
3 adjacent to Chaparral Elementary School and bordered by Pomona
4 Rincon Road and Bird Farm Road, to the City of Chino Hills, in
5 the County of San Bernardino, pursuant to this section.

6 (b) The property may be transferred to the city upon payment
7 to the district by the city in an amount specified by the school
8 district, and the execution of an agreement between the school
9 district and the city for development of the property into a park.

10 The Chino Valley Unified School District shall remit to the State
11 Allocation Board the greater of the following:

12 (1) Fifty percent of the amount realized from the sale of the
13 property.

14 (2) An amount equal to the apportionment for site acquisition
15 provided by the State Allocation Board pursuant to Section
16 17072.12 of the Education Code adjusted to the part of the property
17 being retained by the district.

18 Revenues received by the Chino Valley Unified School District
19 as a result of this property transfer shall be deposited into the
20 capital outlay fund of the school district. Notwithstanding any
21 other provision of law, the deed or other instrument of transfer
22 shall provide that the property shall revert to the ~~Chino Valley~~
23 ~~Unified School District~~ state if the use of the property changes to
24 a use not consistent with parks and recreation purposes.

25 (c) The property was purchased by the Chino Valley Unified
26 School District from the state at less than fair market value,
27 pursuant to subdivision (k) of Section 11011.1 of the Government
28 Code, with a reversion to the state if the property is not used for
29 school purposes. If the conditions of subdivision (b) are met, then
30 the use of the property shall be deemed to be for school purposes
31 and shall not be subject to reversion to the state because of its use
32 for parks and recreation purposes.

1 (d) The Chino Valley Unified School District is not eligible to
2 receive an apportionment of funds that are derived from the sale
3 of state general obligation bonds for a project involving the
4 property transferred pursuant to this section.

5 SEC. 2. Due to the unique circumstances concerning the Chino
6 Valley Unified School District and the City of Chino Hills, the
7 Legislature finds and declares that a general statute cannot be made
8 applicable within the meaning of Section 16 of Article IV of the
9 California Constitution. Therefore, this act is necessarily applicable
10 only to the Chino Valley Unified School District and the City of
11 Chino Hills.